

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

SPENCER WALLACE
Petitioner

v.

MARK GARMAN, et al.,
Respondents

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CIVIL ACTION

NO. 18-3509

O R D E R

AND NOW, this 23rd day of March 2022, upon consideration of the *pro se* petition for a writ of *habeas corpus* filed pursuant to 28 U.S.C. § 2254 (the “Petition”) by Spencer Wallace (“Petitioner”), [ECF 1], the *Report and Recommendation* issued by the Honorable Richard A. Lloret, United States Magistrate Judge (the “Magistrate Judge”), which recommended that the Petition be denied, [ECF 22], and Petitioner’s counseled objections to the *Report and Recommendation*, [ECF 29], and after conducting a *de novo* review of the objections, it is hereby **ORDERED**, for the reasons set forth in the accompanying Memorandum Opinion, that:

1. The *Report and Recommendation* (the “R&R”), [ECF 22], is **APPROVED** and **ADOPTED**, *in part*;
2. The objections to the R&R, [ECF 29], are **SUSTAINED**, *in part*, and **OVERRULED**, *in part*;
3. The petition for a writ of *habeas corpus*, [ECF 1], is **DENIED**; and
4. A certificate of appealability is hereby issued with respect to Claims I and II.

The Clerk of Court is directed to mark this matter **CLOSED**.

BY THE COURT:

/s/ Nitza I. Quiñones Alejandro
NITZA I. QUIÑONES ALEJANDRO
Judge, United States District Court